

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34442

STATE OF IDAHO,	)	2008 Unpublished Opinion No. 384
	)	
Plaintiff-Respondent,	)	Filed: March 3, 2008
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
PHILLIP RAMSEY,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Seventh Judicial District, State of Idaho, Butte County. Hon. Darren B. Simpson, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of three years, for felony injury to a child, affirmed.

Molly J. Huskey, State Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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PER CURIAM

Phillip Ramsey was charged with lewd and lascivious conduct with a minor under sixteen. Ramsey pled guilty to an amended charge of felony injury to a child. I.C. § 18-1501(1). In exchange for his guilty plea, an additional charge of dispensing alcohol to a minor was dismissed. The district court sentenced Ramsey to a unified term of ten years, with a minimum period of confinement of three years, and imposed a fine of \$4,000. Ramsey appeals, challenging the excessiveness of his sentence and the excessiveness of the fine.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Idaho Code Section 19-5307 provides that a fine not to exceed \$5,000 may also be imposed for felony injury to a child. Ramsey's fine of \$4,000 does not exceed the statutory maximum. Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion in sentencing Ramsey or imposing a \$4,000 fine.

Therefore, Ramsey's judgment of conviction and sentence are affirmed.